



भारत का राजपत्र

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विसाधारण

EXTRAORDINARY

भाग II—खण्ड 2

PART II—Section 2

शाधिकार से प्रकाशित

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इस संग्रह में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 27th April, 1993:—

BILL No. XXX OF 1993

A Bill further to amend the Code of Criminal Procedure, 1973.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 1993.

Short title
and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2 of 1974

2. In the Code of Criminal Procedure, 1973 after Chapter VII, the following Chapter shall be inserted, namely:—

Insertion
of new
Chapter
VIIA.

CHAPTER VIIA

RECIPROCAL ARRANGEMENT FOR ASSISTANCE IN CERTAIN MATTERS
AND PROCEDURE FOR ATTACHMENT AND FORFEITURE OF PROPERTY

Definitions.

105A. In the Chapter, unless the context otherwise requires—

(a) "contracting State" means any country or place outside India in respect of which arrangements have been made by the

Central Government with the Government of such country through a treaty or otherwise;

(b) "Identifying" includes establishment of a proof that the property was derived from, used in, the commission of an offence;

(c) "proceeds of crime" means any property derived or obtained directly or indirectly, by any person as a result of criminal activity (including crime involving currency transfers) or the value of any such property;

(d) "property" means property and assets of every description whether corporeal or incorporeal, movable or immovable, tangible or intangible and deeds and instruments evidencing title to, or interest in, such property or assets derived or used in the commission of an offence and includes property obtained through proceeds of crime;

(e) "tracing" means determining the nature, source, disposition, movement, title or ownership of property.

105B. (1) Where a Court in India, in relation to a criminal matter desires that a warrant for arrest of any person to attend or produce a document or other thing issued by it shall be executed in any place in a contracting State, it shall send such warrant in duplicate in such form to such Court, Judge or Magistrate through such authority, as the Central Government may, by notification, specify in this behalf and that Court, Judge or Magistrate, as the case may be, shall cause the same to be executed.

(2) Notwithstanding anything contained in this Code, if in the course of an investigation or any inquiry into an offence, an application is made by the investigating officer or any officer superior in rank to the investigating officer that the attendance of a person who is in any place in a contracting State is required in connection with such investigation or inquiry and the court is satisfied that such attendance is so required, it shall issue a summons or warrant, in duplicate, against the said person to such Court, Judge or Magistrate, in such form as the Central Government may, by notification, specify in this behalf, to cause the same to be served or executed.

(3) Where a Court in India, in relation to a criminal matter, has received a warrant for arrest of any person requiring him to attend or attend and produce a document or other thing in that Court or before any other investigating agency, issued by a Court, Judge or Magistrate in a contracting State the same shall be executed as if it is the warrant received by it from another Court in India for execution within its local limits.

(4) Where a person transferred to a contracting State pursuant to sub-section (3) is a prisoner in India, the Court in India or the Central Government may impose such conditions as that Court or Government deems fit.

(5) Where the person transferred to India pursuant to sub-section (1) or sub-section (2) is a prisoner in a contracting State, the Court in India shall ensure that the conditions subject to which the prisoner is transferred to India are complied with and such prisoner shall be kept in such custody subject to such conditions as the Central Government may direct in writing.

105C. (1) Where a Court in India has reasonable grounds to believe that any property obtained by any person is derived or obtained, directly or indirectly, by such person from the commission of an offence, it may make an order of attachment or forfeiture of such property, as it may deem fit under the provisions of sections 105D to 105J (both inclusive).

Assistance
in relation
to orders
of attach-
ment or
forfeiture
of proper-
ty.

(2) Where the Court has made an order for attachment or forfeiture of any property under sub-section (1), and such property is suspected to be in a contracting State, the Court may issue a letter of request to a Court or an authority in the contracting State for execution of such order.

(3) Where a letter of request is received by the Central Government from a Court or an authority in a contracting State requesting attachment or forfeiture of the property in India, derived or obtained, directly or indirectly, by any person from the commission of an offence committed in that contracting State, the Central Government may forward such letter of request to the Court as it thinks fit, for execution in accordance with the provisions of sections 105D to 105J (both inclusive) or, as the case may be, any other law for the time being in force.

105D. (1) The Court shall, under sub-section (1), or on receipt of a letter of request under sub-section (3) of section 105C, direct any police officer not below the rank of Sub-Inspector of Police to take all steps necessary for tracing and identifying such property.

Identify-
ing
unlaw-
fully
acquired
property.

(2) The steps referred to in sub-section (1) may include any inquiry, investigation or survey in respect of any person, place, property, assets, documents, books of account in any bank or public financial institutions or any other relevant matters.

(3) Any inquiry, investigation or survey referred to in sub-section (2) shall be carried out by an officer mentioned in sub-section (1) in accordance with such directions issued by the said Court in this behalf.

105E. (1) Where any officer conducting an inquiry or investigation under section 105D has a reason to believe that any property in relation to which such inquiry or investigation is being conducted is likely to be concealed, transferred or dealt with in any manner which will result in dispossession of such property he may make an order for seizing such property and where it is not practicable to seize such property, he may make an order or attachment direction that such property shall not be transferred or otherwise dealt with, except with the prior permission of the officer making such order, and a copy of such order shall be served on the person concerned.

Seizure
or
attach-
ment of
property.

(2) Any order made under sub-section (1) shall have no effect unless the said order is confirmed by an order of the said Court, within a period of thirty days of its being made.

Management of properties seized or forfeited under this Chapter.

105F. (1) The Court may appoint the District Magistrate of the area where the property is situated, or any other officer that may be nominated by the District Magistrate, to perform the functions of an Administrator of such property.

(2) The Administrator appointed under sub-section (1) shall receive and manage the property in relation to which the order has been made under sub-section (1) of section 105E or under section 105H in such manner and subject to such conditions as may be specified by the Central Government.

(3) The Administrator shall also take such measures, as the Central Government may direct, to dispose of the property which is forfeited to the Central Government.

Notice of forfeiture of property.

105G. (1) If as a result of the inquiry, investigations or survey under section 105D, the Court has reason to believe that all or any of such properties are proceeds of crime, it may serve a notice upon such person (hereinafter referred to as the person affected) calling upon him within a period of thirty days specified in the notice to indicate the source of income, earnings or assets, out of which or by means of which he has acquired such property, the evidence on which he relies and other relevant information and particulars, and to show cause why all or any of such properties, as the case may be, should not be declared to be proceeds of crime and forfeited to the Central Government.

(2) Where a notice under sub-section (1) to any person specifies any property as being held on behalf of such person by any other person, a copy of the notice shall also be served upon such other person.

Forfeiture of property in certain cases.

105H. (1) The Court may, after considering the explanation, if any, to the show-cause notice issued under section 105G and the material available before it and after giving to the person affected (and in a case where the person affected holds any property specified in the notice through any other person, to such other person also) a reasonable opportunity of being heard, by order record a finding whether all or any of the properties in question are proceeds of crime:

Provided that if the person affected (and in a case where the person affected holds any property specified in the notice through any other person such other person also) does not appear before the Court or represent his case before it within a period of thirty days specified in the show-cause notice the Court may proceed to record a finding under this sub-section *ex parte* on the basis of evidence available before it.

(2) Where the Court is satisfied that some of the properties referred to in the show-cause notice are proceeds of crime but it is

not possible to identify specifically such properties, then it shall be lawful for the Court to specify the properties which, to the best of its judgment, are proceeds of crime and record a finding accordingly under sub-section (1).

(3) Where the Court records a finding under this section to the effect that any property is proceeds of crime, such property shall stand forfeited to the Central Government free from all encumbrances.

1 of 1956.
 (4) Where any shares in a company stand forfeited to the Central Government under this section, then, the company shall, notwithstanding anything contained in the Companies Act, 1956 or the articles of association of the company, forthwith register the Central Government as the transferee of such shares.

105-I. (1) Where the Court makes a declaration that any property stands forfeited to the Central Government under section 105H and it is a case where the source of only a part of such property has not been proved to the satisfaction of the Court, it shall make an order giving an option to the person affected to pay, in lieu of forfeiture, a fine equal to the market value of such part.

(2) Before making an order imposing a fine under sub-section (1), the person affected shall be given a reasonable opportunity of being heard.

(3) Where the person affected pays the fine due under sub-section (1), within such time as may be allowed in that behalf, the Court may, by order, revoke the declaration of forfeiture under section 105H and thereupon such property shall stand released.

105J. Where after the making of an order under sub-section (1) of section 105E or the issue of a notice under section 105G, any property referred to in the said order or notice is transferred by any mode whatsoever such transfers shall, for the purposes of the proceedings under this Chapter, be ignored and if such property subsequently forfeited to the Central Government under section 105H, then, the transfer of such property shall be deemed to be null and void.

105K. Every letter of request, summons or warrant, received by the Central Government from, and every letter of request, summons or warrant, to be transmitted to a contracting State under this Chapter shall be transmitted to a contracting State or, as the case may be, sent to the concerned Court in India in such form and in such manner as the Central Government may, by notification, specify in this behalf.

105L. The Central Government may, by notification in the Official Gazette, direct that the application of this Chapter in relation to a contracting State with which reciprocal arrangements have been made, shall be subject to such conditions, exceptions or qualifications as are specified in the said notification.

Fine in
lieu of
forfeiture,

Certain
transfers
to be
null and
void.

Proce-
dure in
respect
of letter
of
request.

Appli-
cation
of this
Chapter

STATEMENT OF OBJECTS AND REASONS

The Government of India had signed an agreement with the Government of United Kingdom of Great Britain and Northern Ireland for extending assistance in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds of crime (including crimes involving currency transfers) and terrorist funds, with a view to check the terrorist activities in India and the United Kingdom. For giving full effect to this agreement, it is proposed to amend the Code of Criminal Procedure, 1973 to provide for—

- (a) the transfer of persons between the contracting States including persons in custody for the purpose of assisting in investigation or giving evidence in proceedings;
- (b) attachment and forfeiture of properties obtained or derived from the commission of an offence that may have been or has been committed in the other country; and
- (c) enforcement of attachment and forfeiture orders issued by a court in the other country;

2. The Bill seeks to achieve the above object.

NEW DELHI:

The 20th April, 1993.

S. B. CHAVAN.

II

BILL NO. XXXI OF 1993

A Bill further to amend the Terrorist and Disruptive Activities (Prevention) Act, 1987.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:

2 ^o of 1987	<p>1. This Act may be called the Terrorist and Disruptive Activities (Prevention) Amendment Act, 1993.</p> <p>Short title.</p>
	<p>2. In the Terrorist and Disruptive Activities (Prevention) Act, 1987 (hereinafter referred to as the principal Act), in section 1, in sub-section (4), for the words "ix years", the words "eight years" shall be substituted.</p> <p>Amendment of section</p>
	<p>3. In section 2 of the principal Act, in sub-section (1), after clause (q), the following clause shall be inserted, namely:—</p> <p>Amendment of section</p> <p>(gg) "property" means property and assets of every description, whether corporeal or incorporeal, movable or immovable, tangible or intangible and deeds and instruments evidencing title to, or interest in, such property or assets, derived or obtained from, the terrorist act and includes proceeds of terrorism;"</p> <p>2.</p>

Amend-
ment of
section
3.

4. In section 3 of the principal Act, after sub-section (4), the following sub-sections shall be inserted, namely:—

“(5) Any person who is a member of a terrorists gang or a terrorists organisation, which is involved in terrorist acts, shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine.

(6) Whoever holds any property derived or obtained from commission of any terrorist act or has been acquired through the terrorist funds shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine.”.

5. After section 7 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section
7A.

Powers of
investi-
gating
officers.

“7A. If an officer investigating an offence committed under this Act has reason to believe that any property in relation to which an investigation is being conducted is a property derived or obtained from the commission of any terrorist act and includes proceeds of terrorism he shall, with the approval of the Superintendent of Police, make an order seizing such property and where it is not practicable to seize such property, he may make an order of attachment directing that such property shall not be transferred or otherwise dealt with except with the prior permission of the officer making such order, or of the Designated Court and a copy of such order shall be served on the persons concerned:

Provided that the investigating officer shall duly inform the Designated Court within forty-eight hours of the attachment of such property and the said Court shall either confirm or revoke the order of attachment so issued.”.

Amend-
ment of
section
15.

6. In section 15 of the principal Act,—

(a) in sub-section (1), after the words “trial of such person”, the words “or co-accused, abettor or conspirator” shall be inserted;

(b) after sub-section (1), the following proviso shall be inserted, namely:—

“Provided that co-accused, abettor or conspirator is charged and tried in the same case together with the accused.”.

Amend-
ment of
section
16.

7. In section 16 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Notwithstanding anything contained in the Code, the proceedings under this Act may be held *in camera* if the Designated Court so desires.”.

Amend-
ment of
section
20.

8. In section 20 of the principal Act, in sub-section (4),—

(a) in clause (b), for the words “one year”, at both the places where they occur, the words “one hundred and eighty days” shall be substituted;

(b) after clause (b), the following clause shall be inserted, namely:—

“(bb) in sub-section (2), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that, if it is not possible to complete the investigation within the said period of one hundred and eighty days, the Designated Court shall extend the said period up to one year, on the report of the Public Prosecutor indicating the progress of the investigation and the specific reasons for the detention of the accused beyond the said period of one hundred and eighty days; and.”.

9. After section 20 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section
20A.

“20A. (1) Notwithstanding anything contained in the Code, no information about the commission of an offence under this Act shall be recorded by the police without the prior approval of the District Superintendent of Police.

Cogniz-
ance of
offence.

(2) No court shall take cognizance of any offence under this Act without the previous sanction of the Inspector-General of Police, or as the case may be, the Commissioner of Police.”.

10. In section 21 of the principal Act, in sub-section (1), clauses (c) and (d) shall be omitted.

Amend-
ment of
section
21.

STATEMENT OF OBJECTS AND REASONS

The Terrorist and Disruptive Activities (Prevention) Act, 1985 was enacted on 23rd May, 1985 in the background of escalating terrorist activities in many parts of the country. The Act came into force with effect from 24th May, 1985 with the stipulation that it would remain valid for a period of two years with effect from the date of its commencement as it was hoped at that time that it would be possible to control, the menace of terrorism in a period of two years. Unfortunately, terrorist violence has continued unabated, necessitating the Government to periodically extend the Act on the due dates in 1987, 1989 and 1991. The life of the Act is now due to expire on the 23rd May, 1993. The views of the State Governments were obtained while processing these extensions, and most of them had recommended extension of the Act.

2. Terrorism which was initially confined to the States of Punjab, Jammu and Kashmir and North East has spread its tentacles to the States of Uttar Pradesh, Madhya Pradesh, Himachal Pradesh, Maharashtra, Haryana, Delhi, Gujarat and West Bengal. Apart from this, the sophisticated weapons, remote control devices rocket launchers, professional training and international involvement have added a new and disturbing dimension to the problem.

3. The menace of terrorism has also been a matter of international concern. Recently, we have entered into an agreement with the United Kingdom for mutual assistance in the investigation and prosecution of terrorist crime and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds. This agreement is particularly useful in dealing with terrorism inspired from abroad.

4. Keeping in view the above considerations, it is proposed to amplify some of the existing provisions so as to also concretize the agreement signed recently with the United Kingdom for mutual assistance in investigation and prosecution of terrorists crime and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds and to extend the Act for a further period of two years up to 23rd May, 1995.

5. The present Bill seeks to achieve the above mentioned objects.

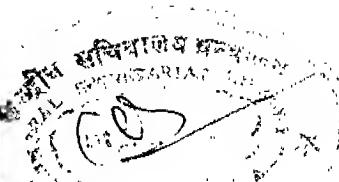
S. B. CHAVAN.

SUDARSHAN AGARWAL,

Secretary-General.

भारत का राजपत्र

The Gazette of India



असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
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सं. 26] नई दिल्ली, मंगलवार, मई 4, 1993/वैशाख 14, 1915
No. 26] NEW DELHI, TUESDAY, MAY 4, 1993/VAISAKHA 14, 1915

इस भाग में भिन्न पृष्ठ संख्या वाले जाते हैं जिससे कि यह अलग संकलन के रूप में रखा जा सके।

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LOK SABHA

The following Bills were introduced in Lok Sabha on 4th May, 1993:—

BILL No. 57 of 1993

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1993-94.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (No. 2) Act, 1993.

Short title.

6 of 1993.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Vote on Account) Act, 1993] to the sum of two lakhs sixty-six thousand seven hundred and forty-two crores and seventy-eight lakh rupees towards defraying the several charges which will come in course of payment during the financial year 1993-94 in respect of the services specified in column 2 of the Schedule.

Issue of
Rs. 266742,
78,00,000
out of
the Con-
solidated
Fund of
India for
the year
1993-94.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Appro-
priation.

Construction of references to Ministries and Departments in the Schedule.

4. References to Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 10th day of February, 1993 and shall, on or after that date, be construed as references to the appropriate Ministries or Departments as reconstituted from time to time.

THE SCHEDULE
(See sections 2, 3 and 4)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	Agriculture . . . Revenue Capital	1327,30,00,000 14,75,00,000	218,00,00,000	1327,30,00,000 232,75,00,000
2	Other Services of Department of Agriculture and Cooperation . . . Revenue Capital	224,69,00,000 206,07,00,000	52,58,00,000	224,69,00,000 258,65,00,000
3	Department of Agricultural Research and Education . . . Revenue	430,00,00,000	..	430,00,00,000
4	Department of Animal Husbandry and Dairying . . . Revenue Capital	369,02,00,000 174,62,00,000	..	369,02,00,000 174,62,00,000
5	Department of Chemicals and Petrochemicals . . . Revenue Capital	80,52,00,000 24,90,00,000	25,92,00,000	106,44,00,000 24,90,00,000
6	Department of Fertilizers . . . Revenue Capital	4291,84,00,000 205,60,00,000	1,00,000	4291,85,00,000 205,60,00,000
7	Department of Civil Aviation . . . Revenue Capital	63,80,00,000 11,73,00,000	..	63,80,00,000 11,73,00,000
8	Department of Tourism . . . Revenue Capital	86,62,00,000 22,66,00,000	..	86,62,00,000 22,66,00,000
9	Ministry of Civil Supplies, Consumer Affairs and Public Distribution . . . Revenue Capital	29,50,00,000 1,26,00,000	5,31,00,000	29,50,00,000 6,57,00,000
10	Ministry of Coal . . . Revenue Capital	173,00,00,000 766,20,00,000	..	173,00,00,000 766,20,00,000
11	Department of Commerce . . . Revenue Capital	693,55,00,000 41,91,00,000	..	693,55,00,000 41,91,00,000
12	Department of Supply . . . Revenue	28,01,00,000	30,00,000	28,31,00,000
13	Ministry of Communications . . . Revenue	10,73,00,00	..	10,73,00,000
14	Postal Services . . . Revenue Capital	1688,26,00,000 67,23,00,00	1,00,000	1688,27,00,000 67,23,00,009
15	Telecommunication Services . . . Revenue Capital	7025,70,00,000 5086,99,00,000	30,00,000 1,00,000	7026,00,00,000 5087,00,00,000

No. of Vote	Services and purposes	3		
		Sums not exceeding		Total
		Voted by Parlia- ment	Charged on the Consolidated Fund	
		Rs.	Rs.	Rs.
16	Ministry of Defence Revenue Capital	1596,36,00,000 81,85,00,000	3,00,000 7,25,00,000	1596,39,00,000 89,10,00,000
17	Defence Pensions Revenue	2378,67,00,000	33,00,000	2379,00,00,000
18	Defence Services- Army Revenue	9748,41,00,000	6,75,00,000	9755,16,00,000
19	Defence Services – Navy Revenue	1156,87,00,000	2,55,00,000	1159,42,00,000
20	Defence Services + Air Force Revenue	3125,91,00,000	29,00,000	3126,20,00,000
21	Defence Ordnance Factories Revenue	468,72,00,000	1,50,00,000	470,22,00,000
22	Capital Outlay on Defence Services Capital	5493,70,00,000	5,83,00,000	5499,53,00,000
23	Ministry of Environment and Forests Revenue Capital	362,44,00,000 7,22,00,000	15,00,000	362,44,00,000 7,37,00,000
24	Ministry of External Affairs Revenue Capital	698,03,00,000 49,78,00,000	2,00,000 ..	698,05,00,000 49,78,00,000
25	Department of Economic Affairs Revenue Capital	502,79,00,000 144,67,00,000	5,00,000 ..	502,84,00,000 144,67,00,000
26	Currency, Coinage and Stamps Revenue Capital	493,42,00,000 356,74,00,000	20,00,000 5,00,000	493,62,00,000 356,79,00,000
27	Payments to Financial Institutions Revenue Capital	1098,38,00,000 7731,24,00,000	1098,38,00,000 7731,24,00,000
	CHARGED.—Interest Payments Revenue	..	38000,00,00,000	38000,00,00,000
29	Transfers to State Governments Revenue Capital	6286,11,00,000 160,00,00,000	19331,97,00,000 12633,97,00,000	25618,08,00,000 12793,97,00,000
30	Loans to Government Services, etc. Capital	245,00,00,000	..	245,00,00,000
	CHARGED.—Repayment of Debt Capital	..	90628,77,00,000	90628,77,00,000
32	Department of Expenditure Revenue Capital	9,15,00,000 6,76,00,000	9,15,00,000 6,76,00,000
33	Pensions Revenue	742,64,00,000	2,36,00,000	745,00,00,000
34	Audit Revenue	342,85,00,000	7,00,00,000	349,85,00,000
35	Department of Revenue Revenue Capital	100,05,00,000 139,00,000	100,05,00,000 139,00,000
36	Direct Taxes Revenue Capital	325,98,00,000 100,00,00,000	2,00,000 ..	326,00,00,000 100,00,00,000
37	Indirect Taxes Revenue Capital	521,09,00,000 143,36,00,000	7,50,00,000 ..	521,84,00,000 143,36,00,000

No. of Vote	Services and purposes	Voted by Parliament	Sums not exceeding		
			Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
38	Ministry of Food . . Revenue Capital	3248,71,00,000 132,73,00,000	5,00,000 1,85,00,000	3248,76,00,000 134,58,00,000	
39	Ministry of Food Processing Industries . . Revenue Capital	40,79,00,000 10,26,00,000	40,79,00,000 10,26,00,000	
40	Department of Health . . Revenue Capital	799,52,00,000 260,95,00,000	2,00,000 2,00,000	799,54,00,000 260,97,00,000	
41	Department of Family Welfare . . Revenue Capital	1474,57,00,000 15,00,000	1474,57,00,000 15,00,000	
42	Ministry of Home Affairs . . Revenue Capital	273,13,00,000 18,75,00,000	7,00,000 ..	273,20,00,000 18,75,00,000	
43	Cabinet . . . Revenue	37,56,00,000	..	37,56,00,000	
44	Police . . . Revenue Capital	2253,48,00,000 465,36,00,000	47,00,000 16,35,00,000	2253,95,00,000 481,71,00,000	
45	Other Expenditure of the Ministry of Home Affairs . . . Revenue Capital	409,94,00,000 129,91,00,000	3,00,000 11,62,00,000	409,97,00,000 141,53,00,000	
46	Transfers to Union territory Governments . . Revenue Capital	115,97,00,000 69,16,00,000	115,97,00,000 69,16,00,000	
47	Department of Education . . Revenue Capital	2155,96,00,000 52,00,000	12,85,00,000	2155,96,00,000 3,37,00,000	
48	Department of Youth Affairs and Sports . . Revenue Capital	124,17,00,000 46,00,000	124,17,00,000 46,00,000	
49	Art and Culture . . Revenue	155,76,00,000	..	155,76,00,000	
50	Department of Women and Child Development . . Revenue Capital	600,94,00,000 5,14,00,000	600,94,00,000 5,14,00,000	
51	Department of Industrial Development . . Revenue Capital	806,30,00,000 92,00,000	806,30,00,000 92,00,000	
52	Department of Heavy Industry . . Revenue Capital	158,97,00,000 248,17,00,000	158,97,00,000 248,17,00,000	
53	Department Public Enterprises . . Revenue	1,44,00,000	..	1,44,00,000	
54	Department of Small Scale Industries and Agro and Rural Industries . . Revenue Capital	376,29,00,000 350,29,00,000	1,45,00,000	376,29,00,000 351,74,00,000	
55	Ministry of Information and Broadcasting . . Revenue Capital	100,60,00,000 19,96,00,000	2,00,000 ..	100,62,00,000 19,96,00,000	

No. of Vote	Services and purposes	Sums not exceeding			
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
56	Broadcasting Services	Revenue Capital	1051,14,00,000 261,19,00,000	6,00,000 20,00,000	1051,20,00,000 261,39,00,000
57	Ministry of Labour	Revenue Capital	455,23,00,000 71,00,000	1,00,000 ..	455,23,00,000 71,00,000
58	Law and Justice	Revenue Capital	109,99,00,000 ..	8,65,00,000 30,00,00,000	109,64,00,000 30,00,00,000
59	Department of Company Affairs	Revenue Capital	14,99,00,000 1,00,000	14,99,00,000 1,00,000
60	Ministry of Mines	Revenue Capital	171,71,00,000 37,70,00,000	10,00,000 ..	171,81,00,000 37,70,00,000
61	Ministry of Non-Conventional Energy Sources	Revenue Capital	194,18,00,000 10,04,00,000	194,18,00,000 10,04,00,000
62	Ministry of Parliamentary Affairs	Revenue	1,15,00,000	..	1,15,00,000
63	Ministry of Personnel, Public Grievances and Pensions	Revenue Capital	65,45,00,000 1,86,00,000	5,36,00,000	65,45,00,000 7,22,00,000
64	Ministry of Petroleum and Natural Gas	Revenue Capital	2,60,00,000 266,39,00,000	2,60,00,000 266,39,00,000
65	Planning	Revenue Capital	89,35,00,000 18,35,00,000	89,35,00,000 18,35,00,000
66	Department of Statistics	Revenue Capital	66,14,00,000 20,00,000	66,14,00,000 20,00,000
67	Department of Programme Implementation	Revenue	85,00,000	..	85,00,000
68	Department of Power	Revenue Capital	4,87,15,00,000 2405,40,60,000	6,60,00,000	487,15,00,000 2412,00,00,000
69	Ministry of Rural Development	Revenue Capital	5017,56,00,000 6,75,00,000	5017,56,00,000 6,75,00,000
70	Department of Waste Lands Development	Revenue	50,25,00,000	..	50,25,00,000
71	Department of Science and Technology	Revenue Capital	308,29,00,000 32,52,00,000	308,29,00,000 32,52,00,000
72	Department of Scientific and Industrial Research	Revenue Capital	306,25,00,000 8,90,00,000	306,25,00,000 8,90,00,000
73	Department of Biotechnology	Revenue Capital	82,10,00,000 6,00,00,000	82,10,00,000 6,00,00,000

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
74	Ministry of Steel . . Revenue Capital	45,32,00,000 418,02,00,000	5,00,000	45,32,00,000 418,07,00,000
75	Surface Transport . . Revenue Capital	106,90,00,000 54,69,00,000	1,00,00,000	106,90,00,000 55,69,00,000
76	Roads . . . Revenue Capital	456,92,00,000 676,70,00,000	10,00,000 33,25,00,000	457,02,00,000 709,95,00,000
77	Ports, Lighthouses and Shipping . . Revenue Capital	210,58,00,000 268,71,00,000	210,58,00,000 268,71,00,000
78	Ministry of Textiles . . Revenue Capital	714,36,00,000 241,81,00,000	6,00,00,000	714,36,00,000 247,81,00,000
79	Urban Development and Housing . . Revenue Capital	264,16,00,000 238,21,00,000	5,43,00,000 23,48,00,000	269,59,00,000 261,69,00,000
80	Public Works . . Revenue Capital	299,87,00,000 149,52,00,000	20,00,000 32,00,000	300,07,00,000 149,84,00,000
81	Stationery and Printing . . Revenue Capital	127,33,00,000 5,00,00,000	127,33,00,000 5,00,00,000
82	Ministry of Water Resources . . Revenue Capital	353,53,00,000 31,15,00,000	2,00,000 31,47,00,000	353,55,00,000 62,62,00,000
83	Ministry of Welfare . . Revenue Capital	564,94,00,000 61,91,00,000	380,18,00,000 ..	945,12,00,000 61,91,00,000
84	Atomic Energy . . Revenue Capital	559,27,00,000 627,86,00,000	5,00,000 ..	559,32,00,000 627,86,00,000
85	Nuclear Power Schemes . . Revenue Capital	441,61,00,000 179,33,00,000	441,61,00,000 179,33,00,000
86	Department of Electronics . . Revenue Capital	122,93,00,000 14,73,00,000	122,93,00,000 14,73,00,000
87	Department of Ocean Development . . Revenue Capital	47,73,00,000 8,68,00,000	47,73,00,000 8,68,00,000
88	Department of Space . . Revenue Capital	640,63,00,000 77,22,00,000	9,00,000 13,00,000	640,72,00,000 77,35,00,000
89	Lok Sabha . . . Revenue	33,86,00,000	14,00,000	34,00,00,000
90	Rajya Sabha . . . Revenue	11,04,00,000	5,00,000	11,09,00,000
	CHARGED.—Staff, Household and Allowances of the President . . Revenue	..	4,10,00,000	4,10,00,000
92	Secretariat of the Vice-President . . . Revenue	31,00,000	..	31,00,000
	CHARGED—Union Public Service Commission . . Revenue	..	16,00,00,000	16,00,00,000
94	Delhi . . . Revenue Capital	1297,00,00,000 969,96,00,000	11,44,00,000 10,30,00,000	1308,44,00,000 980,26,00,000

1	2		3	
No. of Vote	Services and purposes	Voted by Parlia- ment	Sums not exceeding	
			Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
95	Andaman and Nicobar Islands . . . Revenue Capital	206,15,00,000 152,54,00,000	1,00,000 ..	206,16,00,000 152,54,00,000
96	Dadra and Nagar Haveli . . . Revenue Capital	42,96,00,000 17,18,00,000	42,96,00,000 17,18,00,000
97	Lakshadweep . . . Revenue Capital	77,87,00,000 18,86,00,000	22,00,000 ..	78,09,00,000 18,86,00,000
98	Chandigarh . . . Revenue Capital	254,56,00,000 60,86,00,000	6,91,00,000 1,00,00,000	261,47,00,000 61,86,00,000
99	Daman and Diu . . . Revenue Capital	32,34,00,000 13,41,00,000	32,34,00,000 13,41,00,000
	TOTAL	105192,78,00,000	161,550,00,00,000	26,67,42,78,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made by Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 1993-94.

M. V. CHANDRASHEKARA MURTHY.

BILL NO. 56 OF 1993

A Bill to constitute a National Commission for Safai Karamcharis and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

CHAPTER I**PRELIMINARY**

Short title,
extent,
application,
commencement,
duration
and
savings.

1. (1) This Act may be called the National Commission for Safai Karamcharis Act, 1993.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(4) It shall cease to have effect after the 31st day of March, 1997, except as respects things done or omitted to be done before such cessation, and upon such cessation section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.

2. In this Act, unless the context otherwise requires,—

- (a) "Chairperson" means the Chairperson of the Commission;
- (b) "Commission" means the National Commission for Safai Karamcharis constituted under section 3;
- (c) "Member" means a Member of the Commission;
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "Safai Karamchari" means a person engaged in or employed for manually carrying human excreta;
- (f) "Vice-Chairperson" means the Vice-Chairperson of the Commission.

Definitions.

CHAPTER II

THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

3. (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the National Commission for Safai Karamcharis to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

Constitution of the National Commission for Safai Karamcharis.

(2) The Commission shall consist of—

- (a) a Chairperson;
- (b) a Vice-Chairperson;
- (c) five Members;

to be nominated, from amongst the persons of eminence connected with the socio-economic development and welfare of Safai Karamcharis, by the Central Government:

Provided that at least one of the Members shall be a woman.

4. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for such period not exceeding three years as may be specified by the Central Government in this behalf or up to 31st day of March, 1997, whichever is earlier.

Term of office and conditions of service of Chairperson, Vice-Chairperson and Members.

(2) The Chairperson, Vice-Chairperson or a Member may, by notice in writing, addressed to the Central Government, resign from the office of Chairperson, Vice-Chairperson, or as the case may be, of the Member at any time.

(3) The Central Government shall remove a person from the office of Chairperson, Vice-Chairperson or a Member if that person—

- (a) becomes an undischarged insolvent;
- (b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude;

- (c) becomes of unsound mind and stands so declared by a competent court;
- (d) refuses to act or becomes incapable of acting;
- (e) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or
- (f) in the opinion of the Central Government has so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the public interest:

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or sub-section (3) or otherwise shall be filled by fresh nomination and a person so nominated shall hold office for the unexpired period of the term for which his predecessor in office would have held office if such vacancy had not arisen.

(5) The salaries and allowances payable to and other terms and conditions of service of the Chairperson, Vice-Chairperson and Members shall be such as may be prescribed.

5. (1) The Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.

(2) The salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

6. No act or proceeding of the Commission shall be questioned or shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

Officers
and other
employees
of
the Com-
mission.

Vacancy,
etc., not
to invali-
date the
proceed-
ings of
the Com-
mission.

Proce-
dure to
be regu-
lated
by the
Commis-
sion.

Func-
tions and
powers
of the
Commis-
sion,

7. (1) The Commission shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit.

(2) The Commission shall regulate its own procedure.

(3) All orders and decisions of the Commission shall be authenticated by the Chairperson or any other officer of the Commission duly authorised by the Chairperson in this behalf.

CHAPTER III

FUNCTIONS AND POWERS OF THE COMMISSION

8. (1) The Commission shall perform all or any of the following functions, namely :—

(a) recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis under a time-bound action plan;

(b) study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis and make recommendations to the Central Government and State Governments for better co-ordination and implementation of such programmes and schemes;

(c) investigate specific grievances and take *suo moto* notice of matters relating to non-implementation of,—

(i) programmes or schemes in respect of any group of Safai Karamcharis;

(ii) decisions, guidelines or instructions, aimed at mitigating the hardship of Safai Karamcharis;

(iii) measures for the social and economic upliftment of Safai Karamcharis;

(iv) the provisions of any law in its application to Safai Karamcharis,

and take up such matters with the concerned authorities or with the Central or State Governments;

(d) make periodical reports to the Central and State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis;

(e) any other matter which may be referred to it by the Central Government.

(2) In the discharge of its functions under sub-section (1), the Commission shall have power to call for information with respect to any matter specified in that sub-section from any Government, or local or other authority.

CHAPTER IV

MISCELLANEOUS

9. The Chairperson, Vice-Chairperson, Members, officers and other employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of
1860.

Chair-
person
Vice-
Chair-
person
and Mem-
bers and
staff
of the
Commis-
sion to
be pub-
lic ser-
vants.

10. The Central Government shall consult the Commission on all major policy matters affecting Safai Karamcharis.

Central
Govern-
ment
to con-
sult
Commis-
sion.

Annual report.

11. The Commission shall prepare in such form and at such time for each financial year as may be prescribed its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

Annual report to be laid before Parliament or the Legislative Assembly.

12. (1) The Central Government shall cause the annual report to be laid before each House of Parliament along with the memorandum explaining the action taken or proposed to be taken on the recommendations contained therein in so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation.

(2) Where the said report or any part thereof relates to any matter with which a State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any such recommendation or part.

Delegation of powers.

13. The Commission may, by general or special order, delegate to the Chairperson, Vice-Chairperson or any Member or to any officer of the Commission subject to such conditions and limitations, if any, as may be specified therein, such of its powers and duties under this Act as it may deem fit.

Protection of action taken in good faith.

14. No suit, prosecution or other legal proceeding shall lie against the Central Government, Commission, Chairperson, Vice-Chairperson, Members or any officer or other employee of the Commission for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

15. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson, Vice-Chairperson and Members under sub-section (5) of section 4 and of officers and other employees of the Commission under sub-section (2) of section 5;

(b) the form in, and the time at, which the annual report shall be prepared under section 11.

(c) any other matter which is required to be or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The Government of India have taken a number of steps for the social, economic and educational upliftment of Safai Karamcharis. Special schemes for the liberation and rehabilitation of Safai Karamcharis have also been formulated by the Government. In spite of these efforts, the obnoxious practice of manual scavenging still continues in many parts of the country. Since this practice is a continuing stigma on our social fabric, Government is determined to eradicate the practice within a fixed time frame i.e. by the end of the Eighth Five Year Plan. A total plan outlay of Rs. 464 crores has been allocated in the Eighth Five Year Plan for liberation of scavengers. The total cost of the scheme including Bank loans and States' contribution is estimated to be Rs. 905 crores. The scheme is at present being implemented by the Scheduled Castes Development Corporations set up by the State Governments. There is no agency at the Central level to study, evaluate and monitor the scheme of liberation and rehabilitation of Safai Karamcharis. Since the scope of the National Commission for Scheduled Castes and Scheduled Tribes is restricted to Scheduled Castes and Scheduled Tribes and since persons other than those belonging to the Scheduled Castes and the Scheduled Tribes also constitute a sizeable proportion of Safai Karamcharis, it was felt that a separate statutory National Commission needs to be established for monitoring the schemes for the liberation and rehabilitation of Safai Karamcharis.

2. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;

The 22nd April, 1993.

SITARAM KESRI

FINANCIAL MEMORANDUM

Clause 3(1) of the Bill proposes to establish a National Commission for Safai Karamcharis consisting of a Chairperson, Vice-Chairperson and Members. Under Clause 4(5) the salary, allowances and other terms and conditions of service of the Chairperson, Vice-Chairperson and members are to be prescribed by the Central Government by rules. The Central Government has in terms of clause 5, of the Bill to provide the Commission with adequate staff. The salary, allowances and other terms and conditions of the officers and employees provided to the Commission are to be prescribed by the Central Government by rules under clause 5(2). The total recurring expenditure on this account would approximately be about rupees 50 lakhs per annum. The Bill does not involve any other recurring or non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Act. The matters in respect of which such rules may be made are specified in sub-clause (2) of the said clause. They relate to salaries, allowances and other terms and conditions of services of the Chairperson, Vice-Chairperson, Members, officers and other employees of the Commission and the form in which and time at which the annual report shall be prepared. The matters with respect of which rules may be made are matters of procedure or detail.

2. The delegation of the legislative powers is, therefore, of a normal character.

BILL NO. 58 OF 1993

A Bill further to amend the Salary, Allowances and Pension of Members of Parliament Actt, 1954.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993.

Amend-
ment of
section
3.

2. In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act),—

30 of 1954.

(i) for the words “one hundred and fifty rupees”, the words “two hundred rupees” shall be substituted;

(ii) the following proviso shall be inserted at the end, namely:—

“Provided that no member shall be entitled to the aforesaid allowance unless he signs the register, maintained for this purpose by the Secretariat of the House of the People or, as the case may be, Council of States, on the day of the session of the House for which the allowance is claimed.”.

3. In section 4 of the principal Act, in sub-section (1), in clause (c), in sub-clause (ii),—

Amend-
ment of
section
4

(a) for the portion beginning with the words “one rupee and thirty paise”, and ending with the words “in respect of road journeys”, the following shall be substituted, namely:—

“five rupees per kilometre”;

(b) after the existing proviso and before the *Explanation*, the following proviso shall be inserted, namely:—

“Provided further that where a member performs journey by road in Delhi from and to an aerodrome, he shall be paid a minimum amount of one hundred and twenty rupees for each such journey.”

4. In section 8A of the principal Act,—

Amend-
ment of
section
8A.

(a) in sub-section (1),—

(i) for the portion beginning with the words “With effect from the commencement of the Salaries and Allowances of Member of Parliament (Amendment) Act, 1976”, and ending with the words “whether continuous or not”, the following shall be substituted, namely:—

“With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993, there shall be paid a pension of one thousand and four hundred rupees per mensem to every person who has served for a period of four years, whether continuous or not”;

(ii) for the existing provisos, the following provisos shall be substituted, namely:—

“Provided that where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of two hundred and fifty rupees per mensem for every year in excess of five years:

Provided further that every person, who has served for any period as a member of the Provisional Parliament and who is not entitled to any pension under the foregoing provisions of this sub-section, shall, with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993, be entitled to a pension of one thousand and four hundred rupees per mensem.”;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such other pension.”

Insertion
of new
section
8AA.

Option to
draw
salary
allowances
or pension
at lesser
rate or to
avail faci-
lities at
lower
scale.

5. After section 8A of the principal Act, the following section shall be inserted, namely:—

"8AA. Any member or other person entitled to any salary, allowance, pension or facility under this Act or any rule made thereunder may, if he so desires, exercise an option in writing to draw such salary, allowance or pension at a lesser rate, or to avail such facility at a lower scale, to be specified in such option and send the option to the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, and thereafter the salary, allowance or pension shall be paid to such member or person at the rate specified in the option or, as the case may be, the facility shall be provided to such member or person in accordance with the scale specified by him in the option."

STATEMENT OF OBJECTS AND REASONS

The Joint Committee on Salaries and Allowances of Members of Parliament has made several recommendations for increasing the existing facilities, allowances and pension of Members of Parliament and ex-Members of Parliament. It is proposed to implement the following recommendations as accepted by the Government of India:—

- (i) increase in the rate of road mileage allowance from three rupees per kilometre to five rupees per kilometre. However, where a member performs journey by road in Delhi from and to an aerodrome, he shall be paid a minimum amount of one hundred and twenty rupees for each such journey;
- (ii) increase in daily allowance from one hundred and fifty rupees per day to two hundred rupees per day subject to the condition that the member signs the register on all the days of the session of the House for which the allowance is claimed;
- (iii) increase in the minimum pension from five hundred rupees per month to one thousand and four hundred rupees per month;
- (iv) increase in additional pension for each year in excess of five years from fifty rupees per month to two hundred and fifty rupees per month;
- (v) reduction of the minimum eligibility period for drawal of the ex-Members of Parliament pension from five years to four years of membership;
- (vi) drawal of ex-Members of Parliament pension in addition to other pensions.

2. The Bill also seeks to provide that in case a Member of Parliament or any person desires to draw the salary, allowances or pension at a lesser rate or to avail of the facilities at a lower scale than that admissible under the Act and the rules made thereunder, he may exercise an option in writing and send it to the Chairman of the Council of States or the Speaker of the House of the People, as the case may be and thereafter such member or person will get the salary, allowances, pension and facilities accordingly.

3. The Bill seeks to achieve the above objects.

VIDYACHARAN SHUKLA.

NEW DELHI;
The 30th April, 1993.

FINANCIAL MEMORANDUM

Clauses 2 to 4 of the Bill seek to amend various provisions of the Act to provide for—

- (i) increase in road mileage allowance from three rupees per kilometre to five rupees per kilometre subject to a minimum of one hundred and twenty rupees for each journey performed by the member in Delhi from the airport to the residence of the member and vice-versa;
- (ii) increase in daily allowance from one hundred and fifty rupees per day to two hundred rupees per day subject to the condition that the member signs the register on all the days of the session of the House for which the allowance is claimed;
- (iii) increase in the minimum pension from five hundred rupees per month to One thousand and four hundred rupees per month;
- (iv) increase in additional pension for each year in excess of five years from fifty rupees per month to two hundred and fifty rupees per month;
- (v) reduction of the minimum eligibility period for drawal of pension by an ex-member from five years to four years of membership; and
- (vi) drawal of pension by an ex-member irrespective of other pensions.

2. The above provisions would involve a recurring expenditure from the Consolidated Fund of India to the extent of ten crores and ninety-one lakh rupees per annum approximately out of which seventy-three thousand rupees will be the expenditure charged on the Consolidated Fund of India.

3. The provisions of the Bill will not involve any other expenditure of a recurring or non-recurring nature.

C. K. JAIN,
Secretary-General.